IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.22304 of 2008
CHAKRADHAR MANDAL
Versus
STATE OF BIHAR
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3. 5/8/2008 Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioner and Mr. Choubey Jawahar, learned A.P.P. for the State.

The petitioner has been made accused in a case under Sections 366A, 341, 323 and 504/34 of the Indian Penal Code.

The allegation as per the First Information Report is that the minor girl was kidnapped by Sanjay Mandal, Lalu Sah and one unknown person.

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Learned counsel for the petitioner submits that as per the First Information Report, there is no allegation of kidnapping against the petitioner. Only allegation is that after kidnapping, when the informant went to enquire about her daughter, she was abused and assaulted by fists and slaps by the petitioner (father of Sanjay Mandal) and his wife (mother of Sanjay Mandal). He submits that Dropadi Devi has been granted anticipatory bail. Further submission is that for reasons best known to him, police has not recorded the statement of the victim girl under Section 164 Cr. P.C. after her recovery. However, her statement has been recorded under 161 Cr. P.C. wherein she has stated in paragraph-20 of the case diary that she is a major girl and she had gone with Sanjay Mandal out of

her own will for the purpose of marriage. After recovery of the girl, she was handed over to her mother. Learned counsel for the petitioner further submits that after radiological examination of the girl, as has come in paragraph-86 of the case diary. Doctor has opined regarding age of the victim girl as between 18-20 years.

Learned counsel for the State submits that the allegation in the F.I.R. is that the petitioner and his wife assaulted the informant by fists and slaps.

In view of the facts and circumstances of the case and submissions made by the learned counsel for the parties, I direct the petitioner Chakradhar Mandal to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka, in connection with (Panjwara) P.S. Case No. 410 of 2007 (G.R. No. 1923 of 2007).

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(Dr. Ravi Ranjan, J.)